

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

Bail Appl..No. 507 of 2007()

CRIME NO. 1283/06 CENTRAL POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED

SUBHASH VARMA, S/O.K.L.MOHANA VARMA,
603, AKARIA ARCADU, AYYAPPANKAVU,
ERNAKULAM.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU
SRI.K.J.PRAJI

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 6/02/2007, THE COURT ON 06/02/2007 PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 507 of 2007

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Dated, this the 6th day of February 2007

ORDER

Petitioner seeks anticipatory bail on the allegation that even though he was granted anticipatory bail by the Sessions Court, Ernakulam as per Annexure A order dated 6-10-2006 in CrI.M.C. 1168/2006, he has only been interrogated by the investigating officer and he was not arrested by the said officer nor granted bail as directed.

2. The learned Public Prosecutor submitted that it is true that the petitioner reported before the investigating officer for interrogation but he was not granted bail as it was felt that the matter would be squared up between the de facto complainant and the petitioner and that was the reason why the petitioner was not enlarged on bail.

3. That is not a valid justification on the part of the investigating officer in not complying with the order of the Sessions court. The petitioner having reported before the investigating officer, as directed in the bail order was bound to be released on bail after he was formally arrested. Accordingly, if the petitioner surrenders

Bail Application No. 507/07

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before the investigating officer on any day between 8-2-2007 and 12-2-2007, he shall be released on bail for a period of two months in compliance of the bail order granted by the Sessions Court.

With the above observation, this petition is disposed of .

**V. RAMKUMAR,
(JUDGE)**

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